IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.2118 OF 2006

Rajendra Manohar Rege .. ..Applicant

Versus

State of Maharashtra .. ..Respondent

Mr.S.M.Railkar for applicant

Mr.Y.S.Shinde, APP for State

CORAM : R.S.MOHITE, J.

DATE : 5TH JULY, 2006.

P.C.:

1. Heard.

2. This is an application for grant of anticipatory bail. The Applicant is a Chartered Accountant and he was instrumental in preparing balance-sheet of Sahyadri Sahakari Sakhar Karkhana Ltd. It appears that the balance-sheet has been signed by the present applicant

by showing excess share capital and thereby the State has been persuaded to make contribution of excess amount of Rs.947.76 lacs. The amount has not yet been repaid and it appears that the Chairman/Directors of the said Karkhana are also the persons likely to be involved.

3. The learned APP makes a statement that the FIR has been filed on 20.4.2006. On the basis of the said FIR the Radhanagari Police Station registered a C.R. No.26/2006 for offences under Sections 467, 468, 471, 420 r/w 34 of the Indian Penal Code. The APP makes a statement that the Chairman/Director of the said Karkhana are also accused in this particular case but even prior to lodging the FIR instructions were received from the Government not to lodge the FIR, as the Directors and Chairman had been directed to collect the excess amount from the members. He also makes a statement that no such amount has been collected till today.

4. This is a very serious matter. The offence punishable under Section 467 is punishable for life imprisonment. I am not inclined to grant anticipatory bail and hence this application stands rejected.

5. It is made clear that the investigating agency should pursue the investigation rigorously against all the persons shown as an accused persons in the FIR. The accused are entitled to disregard any letter interfering with the investigation of the alleged crime. The application is disposed of.

6. It is made clear that any Government Authority which interferes with the investigation will be doing so at its own risk.

7. Advocate for the applicant states that he would like to approach the Apex Court against this order and prays that some time may be given to him to enable him to approach the Apex Court. In the circumstances, it is directed that the applicant may not be arrested for a period of two weeks from today subject to the condition that he will report to the Radhanagari Police Station on 10th and 14th July 2006 between 5.00 p.m. and 7.00 p.m. The Police will not arrest him if he so reports in accordance with the directions given in this order. Authenticated copy be furnished to the parties.

(R.S.Mohite, J.)